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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ACP, INC.,  
Plaintiff,  
v.  
SKYPATROL, LLC, et al.,  
Defendants.

Case No. [13-cv-01572-PJH](#) (MEJ)

**DISCOVERY ORDER**

Re: Dkt. Nos. 109, 110, 111

Pursuant to the Court’s February 1, 2017 Order, Plaintiff ACP, Inc. (“ACP”) and Defendant Gordon Howard Associates, Inc. (“Gordon Howard”) met and conferred in the undersigned’s courtroom on February 9, 2017. The parties successfully resolved several of their discovery disputes (*see* Disc. Letters, Dkt. Nos. 109-11), and the Court instructed the parties to draft a proposed order memorializing those resolutions.

The parties are unable to agree on a joint proposed order and have submitted competing orders. ACP Prop. Order, Dkt. No. 124; G.H. Prop. Order, Dkt. No. 125. The parties filed their competing orders on Friday, February 17, 2017. Given that the parties seek responses by Monday, February 20, 2017, the Court issues the following partial Order.

1. **Request for Production No. 27.** Gordon Howard shall amend its response to Request for Production No. 27 to state that it has no responsive documents apart from the document bearing stamp number PT 00000026. Gordon Howard served its amended response on February 15, 2017, which resolves the dispute as to Request for Production No. 27.
2. **Request for Production No. 28.** In lieu of producing documents in response to Request for Production No. 28 that sufficiently identify Gordon Howard’s

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employees for the years 2013, 2014, 2015, and 2016, the parties agree to a stipulation. In the stipulation, Gordon Howard shall identify the allegations regarding employment promises and state that those allegations relate only to the individuals that are identified at ACP-GHSP000119. Gordon Howard agrees to stipulate that the leadership team in Paragraph 8 are the individuals that are identified at ACPGHSP000119 and that these were the employees that Mr. Schwarz sought to protect.

The parties' amended responses are due by **February 22, 2017**. The Court shall address the remaining issues in a follow up order.

**IT IS SO ORDERED.**

Dated: February 17, 2017

  
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MARIA-ELENA JAMES  
United States Magistrate Judge